

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 1541 of 1986

For Approval and Signature:

Hon'ble MR.JUSTICE R.A.MEHTA

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
 2. To be referred to the Reporter or not?
 3. Whether Their Lordships wish to see the fair copy of the judgement?
 4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
 5. Whether it is to be circulated to the Civil Judge?
- 1 - 5 No

GUJ STATE ROAD TRANSPORT CORPN

Versus

MANJI VASHRAM

Appearance:

MR N.V. ANJARIA FOR MR. SN SHELAT for Petitioner
MR HK RATHOD for Respondent No. 1

CORAM : MR.JUSTICE R.A.MEHTA

Date of decision: 26/12/97

ORAL JUDGEMENT

The respondent conductor was dismissed from service. He raised a dispute before the Labour Court and he was directed to be reinstated to his original post with continuity of service but without backwages. At the time of admission of this petition, the High Court has directed that the workman be appointed with effect from 6.12.1985 as a fresh appointment. Of course it was without prejudice to the rights and contentions of the

parties and subject to the present petition. Having regard to the facts of the case including the finding of the Labour Court about recovery of the fare from the passengers and non-issuance of fare tickets, proper punishment ought to have been imposed. It is, therefore, directed that the award of the Labour Court be modified by directing that his four future increments be stopped from now onwards without cumulative effect. Rule is made absolute.

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